

IMMIGRATION SPEECH

Introduction

Good afternoon, everyone. Thank you, [*placeholder*], for the kind introduction. I want to thank the Council on Foreign Relations for the opportunity to be with you today for an important discussion on the state of border security and migration, and the continued regional crisis impacting our border, and I also want to thank Fran Townsend for the chance to have a conversation on other Department of Homeland Security priorities as well.

I know that many of you have been following the crisis at the Southwest Border and tracking irregular migration in the Western Hemisphere. Not only has this situation had obvious implications on our border security, but it has led to a significant humanitarian crisis and foreign policy challenge—in the United States and throughout the region. I would like to take the dialogue today above the headlines and the daily news cycle level, and look back at the challenges and our efforts to address them over the past year, and especially the past 3 months.

[*Pause*]

For a CFR audience, I don't believe it is too controversial to state that the development of a regional approach to migration is among the most pressing U.S. national security interests in the Western Hemisphere, and one of the most fundamental challenges for the region writ large.

We have been leading this effort at the Department of Homeland Security, working with our partner governments to target both the push-and-pull factors driving irregular migration.

At the same time, we recognize that one of the biggest contributing factors to this crisis is an issue we face domestically—and that is the weaknesses in our legal immigration framework.

I was brought in as Acting Secretary at the height of this crisis, and I can tell you that at the peak in May, we were facing an extraordinarily challenging situation, with overcrowding in border facilities, daily arrivals of almost 5,000 migrants, primarily families and children from Central America. We lacked effective tools to counter the smugglers bringing unprecedented flows of migrants crossing our border, and we lacked funding from Congress to promptly alleviate the humanitarian crisis.

Today, I am pleased to report that daily arrivals are down 64% from the peak in May, and total enforcement actions for Central Americans arriving at the border have been reduced by over 70%.

And, critically, we have dramatically improved the conditions and care in border facilities.

More broadly, as of tomorrow, we expect to be achieve another milestone:

With some humanitarian and medical exceptions, DHS will no longer be releasing family units from Border Patrol Stations into the interior. This means that for family units, the largest demographic by volume arriving at the border this year, the court-mandated practice of catch and release due to the inability of DHS to complete immigration proceedings with families detained together in custody--will have been mitigated. This is a vital step in restoring the rule of law and integrity to our immigration system.

Taken together, these improvements demonstrate significant progress, but I want to take a few moments to set the stage with where we were four months ago, at the height of this crisis, the strategy and solutions we applied to begin addressing it, and why I believe continued efforts and partnership are needed to permanently resolve it.

Rundown of Crisis

To give you a sense of the enormous scale of the crisis that our Department's workforce has been confronted with this year—in May, the third of four straight months of over 1,000 migrant arrivals, U.S. Customs and Border Protection apprehended or encountered over 144,000 migrants at our Southwest Border—90% of whom crossed illegally between ports of entry.

This was a modern record, and included a day of over 5,800 border crossings in a single 24-hour period. It also included the largest single group ever apprehended: 1,036 migrants crossing together in one rush in the El Paso sector.

Of our record apprehensions that month, 72% were of unaccompanied children and family units. Many of these migrants represented Central America's most vulnerable populations, who put their lives and those of their families in the hands of smugglers.

Despite the obvious dangers of the journey, smugglers have adapted their craft to exploit the weaknesses in our immigration system. Their operations are highly sophisticated—with calculated planning on when and where to cross our borders.

With the overwhelming number of arrivals, DHS facilities at the border were overcrowded, resulting in very difficult humanitarian conditions. In some sectors, 50% of our agents were redirected to processing and care for migrants, leaving key areas of the border undermanned and necessitating the closing of checkpoints.

While we had warned of the burgeoning crisis since December, and requested both additional humanitarian resources and legislative changes, Congressional action was not responsive and the crisis spiraled.

There are a number of reasons for the fundamental shifts in migration patterns, but at the core, the push factors for migration are predicated on a stark economic opportunity gap, exacerbated by poverty and food insecurity, with continued high-levels of violence in some areas of Central America.

Job creation has not been able to keep up with labor growth in Central America resulting in a stark opportunity shortage—with only 1/5th of the needed jobs being created every year for the number of young people entering the workforce in the Northern Triangle. This is the single most important push factor.

Poverty and food insecurity are also key contributors. 64% of Hondurans live below the poverty line with rural poverty being more severe and 63% of Central American migrants cite lack of food as a primary incentive for migration according to the UN World Food Program.

Over the past decade, transnational criminal organizations have used the Central American corridor for a range of illicit activities, including trafficking a significant percentage of cocaine bound for the United States. As a result, while the security situation is improving in all three countries, the region has experienced elevated homicide rates and

general crime committed by drug traffickers, gangs, and other criminal groups.ⁱ

Combined, these factors have created conditions that push many to make the dangerous trek north.

Pull factors, however, are even more significant. The strength of the U.S. economy, with historically low levels of unemployment, and the presence of significant diasporas of Guatemalans, Salvadorans, and Hondurans with resources are strong magnets.

But the main cause of the increases in arrivals this year is the weakness in the US immigration system, the vulnerabilities of our legal framework, which allowed migrants—especially families and unaccompanied children--to stay in the US for months or years, even though the vast majority will not ultimately receive legal status.

That is why, by the end of the fiscal year, we will see numbers more than triple the record for family units arriving at the border, with close to 600,000, and record number of unaccompanied minors.

I want to be clear on this point, the central factor that has driven the migration crisis this year has been the inability to achieve results from

the immigration process that can be effectuated at the border for these demographics, at or near the time the migrants arrive.

In short, the crisis derives from multi-faceted problems, and clearly calls for multi-pronged solutions. Accordingly we developed an aggressive and holistic strategy to mitigate the crisis within existing law.

The strategy sought to change the dynamic at the border by:

ONE, disrupting smuggling activity and reducing the unprecedented flow,

TWO, changing the way we process that flow to create greater integrity in the system by achieving immigration results that can be effectuated at the border without release into the United States.

And THREE, at the same time, we sought to urgently mitigate the humanitarian situation by providing enhanced care for arriving migrants once they crossed into the United States.

REDUCE THE FLOW

To reduce the flow, we realized that international partnerships were going to be essential:

We worked to develop operational and strategic partnerships in the region based on shared responsibility for the migrant crisis.

Principally, this has meant partnering with the government of Mexico, to increase security of their border and prevent transnational criminal organizations from preying on migrants transiting north, and to reduce irregular and unlawful migration;

Second, it has meant building relationships and capacity with law enforcement, immigration, and diplomatic authorities in the main source countries for migration to our border, Guatemala and Honduras, and El Salvador to address the root causes of migration, from security, economic, and governance perspectives.

Mexico

In terms of the reduction in flow through interdiction and disruption, the single biggest factor has been the efforts of the government of Mexico.

This has included the deployment of nearly 25,000 troops under the new Mexican National Guard; a focus on increased presence along the Chiapas-Guatemala border; stopping the conveyor belt of large groups to the U.S. border; disruption of key transportation hubs, and, importantly, a dramatic rise in human smuggling arrests and prosecutions.

CENTAM

The increase in human smuggling prosecutions has not been confined to just Mexico. There have been more arrests made and prosecutions of human smugglers initiated throughout Mexico and Central America in the last three months than any three year period in the history of the region. For example, the Government of Honduras has arrested more human smugglers in the last 3 months than the total number of human smuggler arrests for all of 2018.

Guatemala has greatly increased its police presence at its northern border with Mexico, and has adopted new techniques and technology to identify fraudulent documents and disturb human smuggling networks. They have also opened their doors to DHS and requested assistance in their efforts, both at and in between ports of entry. Currently, DHS has more than 45 personnel supporting border operations in Guatemala.

El Salvador recently deployed 800 police and 300 immigration agents to patrol blind spots along its borders where migrant smugglers and transnational criminals operate. Further, in the last two months, El Salvadorian police have made over 5,000 arrests of nationally of gang members as part of their national security plan.

In addition to these enforcement efforts, several countries have agreed to partner with the United States in a regional asylum framework, known as asylum cooperation agreements. Recognizing these countries' decision to join the comprehensive refugee response framework (or MIRPS), and using best practices by international organizations and the United States, these agreements will enhance collaboration and build protection capacity.

To that end, I am excited to announce that the United States will be providing \$47 million in aid to build asylum capacity in Guatemala.

These international partnerships have paid dividends in ensuring effective immigration results in Central America and our southern border as well.

Our partnerships are also having impact at our border: working with both Mexico and all three Central American partners, we have initiated or expanded programs that are resulting in more effective immigration results for arrivals at the US border as well.

Expeditionously Removing Migrants

Perhaps the most visible program resulting from our energized international efforts has been the Migrant Protection Protocols—or MPP—established with Mexico earlier this fiscal year. Under MPP, eligible migrants crossing illegally or presenting without documents at Ports of Entry, are processed for expedited court hearings and returned to Mexico. They are then allowed access through US ports of entry on hearing dates.

The MPP enhance the integrity of the system, by getting immigration court results at much faster pace than the non-detained docket in the U.S., while keeping families together, and, *without* keeping them in custody. It is expressly provided for in law, and conducted in partnership with Mexico, who has committed to appropriate humanitarian protections and work authorization in Mexico for migrants in the adjudication process.

Under MPP, we have successfully provided protections to hundreds of asylum seekers—including those unique asylees to whom protection is provided immediately, if it is deemed too dangerous from fear screenings to return them to Mexico, as well as several who were found by immigration judges to have meritorious claims at the end of the expedited process in the only the first several months of operation.

MPP serves as a tool to provide expeditious access and decisions for meritorious claims, and to discourage individuals with inadequate or false asylum claims from illegally entering the United States. Previously, the system had required release into the interior for a court date that could be 5 years down the road.

This key change has led to a safer and more orderly process along the Southwest Border—and we are grateful for Mexico’s cooperation with us in this effort.

In addition, DHS is expanding its Electronic Nationality Verification program to expedite repatriations of Central American migrants. ENV gives us the ability to return migrants without any claim of fear to their countries of origin in an expedited manner, by verifying their nationality electronically.

This program is an extension of pre-existing processes in place with the Government of Mexico—applying and adapting these to address the irregular migratory flows of today, which stem primarily from Central America.

To these layers in place at the border we are working to build capacity to extend asylum protections in partner countries in the region and ensure that those who need protections from persecution for political, racial, religious, or social group membership can seek them as close to home as possible, without putting themselves or their family in the hands of dangerous smugglers.

Along with these efforts, we are also implementing new regulations designed to limit asylum abuse and preserve our critical commitments under international law, promulgate stringent requirements for care and custody conditions for minors in federal holding, but we still believe that key legislative fixes are necessary for a durable and comprehensive solution to the crisis.

Combined, the international efforts and initiatives to enhance immigration results, are making an impact.

[Pause]

I would like to highlight one more area of progress, perhaps the most fundamental when looking at the responsibilities of the Federal government to those in our custody, and that has been in the area of our efforts to enhance care and conditions, alleviate overcrowding in border facilities, provide access to showers and toiletries, hot meals, medical screening and care, and sufficient transportation to ensure movement to more appropriate settings on a timely basis.

Since receiving the emergency supplemental funding requested on May 1st in late June, DHS has:

- Added over 5,000 beds in temporary facilities, providing a more appropriate setting for families and children, and eliminating overcrowding of single adults;
- HHS has been able to add necessary capacity for unaccompanied children on demand as well;
- Ensured access to showers at all major stations within 24-36 hours and dramatically increased accessibility of hot meals and age-appropriate meals;

Since January, DHS has:

- Increased the presence of certified medical professionals in border stations and POEs from approximately 20, to over 200, ensuring all children are screened;
- Contracted for and purchased dozens of busses for large scale transport between facilities;

As a result of all of these efforts, from a high of almost 20,000 total in custody at the border, we now average 3,500-4,500, and the number of unaccompanied children has been reduced from over 2,700 to fewer than

150. Times in custody at border stations have also been reduced dramatically, with children moving to well-equipped HHS facilities in less than 24 hours. IN sum, we have a much better situation at the border stations for migrants, thanks to the emergency funding we sought and obtained from Congress.

The efforts and actions we have taken the past 6 months have been focused on breaking the crisis—to protect vulnerable populations in the region and restore a sense of integrity to our immigration system for border arrivals.

At the same time, we can't let our progress cloud our vision.

We are still at crisis levels in illegal crossings at the Southwest Border, and until we change the fundamental laws governing our immigration system, we won't solve the underlying problem.

1500-2000 arrivals a day, with hundreds dying on the journey, is not an acceptable situation, not only in terms of the dangers in the crossing for the migrants, and the impact to our security missions, but also in terms of the regional impact. Our neighbors in Guatemala and Honduras will send 2.5% of their population to the US border this year—an incalculable loss of energy and youth.

It is essential that we expand the dialogue and work on solutions together, with Congress, with State and local partners, and with our neighbors.

Conclusion

In closing, I am privileged to work alongside the Department's extraordinary workforce, and I can tell you that this crisis continues to

weigh heavily on our officers and agents at the Border, and strain our components' already limited resources. They have done an amazing job, with heart and compassion in very trying circumstances. They deserve our support and thanks.

Going forward, I know that this audience understands that border security is national security. Migration crises cannot be addressed by any destination country alone. We must create a sense of shared responsibility and build the reality of effective capability with our partners in the region, or our progress will not be sustainable.

We need your ideas and your voices.

Thank you for the opportunity to provide you an update—I look forward to the rest of our dialogue.

Thank you.

ⁱ U.S. Department of State, International Narcotics Control Strategy Report 2017 Volume 1: Drug and Chemical Control, March 2017, p.160.